

By Senator Bryan:

We, the undersigned resident citizens of Fisher county, Texas, present this, our protest against the 2-cent fare bill, and respectfully ask that all honorable means be used to defeat this measure.

Numerously signed.

THIRTIETH DAY.

Senate Chamber,
Austin, Texas,

Monday, February 22, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll called, quorum present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

Absent.

Harper.	Veale.
Hume.	Weinert.
Real.	Willacy.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

EXCUSED.

Senator Veale for last Friday and all of this week, account of important business, on motion of Senator Murray.

Senator Hume for today, account of sickness, on motion of Senator Peeler.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 18—ADOP- TION OF.

Senator Alexander offered the following Conference Committee report:

Committee Room,

Austin, Texas, February 19, 1909.

Hon. A. B. Davidson, President of the Senate, and Hon. A. M. Kennedy, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed on the part of the Senate and House to adjust the difference between the two houses on

Senate bill No. 18, A bill to be entitled "An Act declaring void the sale or transfer of portions of stocks of merchandise otherwise than in the ordinary course of trade in the usual and regular prosecution of the seller's or transferrer's business and sales or transfers of entire stocks of merchandise in bulk, unless made in compliance with certain named conditions and regulations, and prescribing such conditions and regulations according to which such sales may be made valid, and declaring an emergency,"

Have had the same under consideration, and we recommend:

1. That the Senate accept the amendment of the House which strikes out certain words on page 2, lines 1 and 2, of said bill.

2. That the House recede from its amendment, which adds certain words to the end of Section 1, beginning with "Provided, that the seller," etc.

ALEXANDER,

MEACHUM,

SENER,

On the part of the Senate.

FITZHUGH,

DAVIS,

ROBERTSON of Travis,

McCALLUM,

On the part of the House.

The report was read and adopted.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 152—ADOP- TION OF.

Senator Murray offered the following report on part of the Senate:

Committee Room,

Austin, Texas, February 19, 1909.

Hon. A. B. Davidson, President of the Senate, and Hon. A. M. Kennedy, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to confer on

House bill No. 152, A bill to be entitled "An Act to appropriate the sum neces-

sary to refund the unearned portion of the State occupation tax upon all liquor dealers' licenses, which were unexpired on July 12, 1907, and which were abrogated on that date."

Have had the same under consideration, and report it back to the Senate with the recommendation that the Senate recede from its amendment, which was as follows, "Provided, said sum shall be paid out of the fund to which said sum was credited," and that the bill do pass as amended by Senate with this amendment eliminated.

MURRAY,
STURGEON,
HUDSPETH,

On the part of the Senate.

BYRNE,
VON ROSENBERG,
DAVIS,
TRENCKMANN,

On the part of the House.

The report was read and adopted by the following vote:

Yeas—25.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

Absent.

Harper.	Weinert.
Real.	Willacy.

Absent—Excused.

Hume.	Veale.
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SIMPLE RESOLUTION.

By Senator Cofer:

Whereas, The mayor and municipality and the good people of the city of Galveston extended to the Senate of Texas and its officers and employes, an invitation to visit said city on February 20 and 21, 1909, which it was the great pleasure of this Senate to accept; and

Whereas, The Senate was entertained on said occasion with such prodigal hospitality and shown so many acts of

kindness and so much consideration that our visit was one of the rare opportunities of a lifetime, and its memory will ever remain with us; therefore, be it

Resolved by the Senate, That the thanks of this body be tendered to the mayor and municipality of Galveston, and through them to the splendid people and citizens of Galveston for their unbounded hospitality and for the great consideration shown this body, collectively and individually, while we were their guests. There do not live a more hospitable people than those residing in our beautiful island seaport.

We congratulate them upon rebuilding such a great and magnificent city. All Texas loves Galveston. May her fondest hopes be realized and the choicest blessings rest upon her.

Resolved further, That the thanks of this body be tendered the Hon. T. W. Masterson, Senator from Galveston district, for the way in which he managed our pleasant excursion—nothing was overlooked by him. He is the very prince of entertainers.

Resolved, That these resolutions be printed in the Journal and a copy of same be furnished Mayor Landes and Senator Masterson, and that copies go to the press.

Cofer, Brachfield, Hayter, Peeler and Murray.

The resolution was read and unanimously adopted by a rising vote.

BILLS AND RESOLUTIONS.

By Senator Kellie:

Senate bill No. 251, A bill to be entitled "An Act to amend an act passed on the 31st day of March, 1903, to amend Subdivision 9 of Article 22, Title 4 of the Revised Civil Statutes of the State of Texas, 1895, changing the time of holding court and the length of terms of court in certain counties in the Ninth Judicial District of the State of Texas."

Read first time, and referred to Committee on Judicial Districts.

By Senator Hudspeth:

Senate bill No. 252, A bill to be entitled "An Act to grant unto the United States of America a section of land in El Paso county, Texas, and to validate the patent issued thereon, and declaring an emergency."

Read first time, and referred to Committee on Public Lands and Land Office.

By Senator Kellie (by request):

Senate bill No. 253, A bill to be entitled "An Act to prohibit bucketshops or bucketshopping within this State, and to provide penalties for its violation; to prohibit gambling in contracts for future delivery; to render unlawful any contracts for future delivery, where delivery is not intended, or where contract is not made as a hedge to protect against fluctuations in value of products or securities; to require commission brokers or merchants to accept no future contracts except where intended for actual delivery or a hedge on actual products or securities; to prohibit the purchase or sale of such contracts by individuals and to provide penalties against both buyer or seller and broker who violate the provisions of this act."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Kellie:

Senate bill No. 254, A bill to be entitled "An Act to amend Article 5065 of Title 104, Chapter 2 of the Revised Civil Statutes of the State of Texas, as amended by Chapter 127 of the General Laws of the State of Texas, passed by the Twenty-ninth Legislature at its Regular Session in A. D. 1905, as amended by Chapter 159 of the General Laws of the Thirtieth Legislature, page 302, approved April 23, 1907, so as to define, exempt and regulate the exemption of endowment funds of educational institutions from taxation; defining what is a house of public worship, and declaring an emergency."

Read first time, and referred to Finance Committee.

Morning call concluded.

SENATE BILL NO. 169.

On motion of Senator Hudspeth, the special order of business (Senate bill No. 156) was suspended, and the Senate took up, out of its order, Senate bill No. 169, by the following vote:

Yeas—24.

Adams.	Mayfield.
Alexander.	Meachum.
Brachfield.	Murray.
Bryan.	Paulus.
Cofer.	Peeler.
Greer.	Perkins.
Holsey.	Senter.
Hudspeth.	Stokes.
Kellie.	Sturgeon.
Masterson.	Terrell of Bowie.

Terrell of McLennan. Ward.

Thomas.

Watson.

Absent.

Harper.

Weinert.

Hayter.

Willacy.

Real.

Absent—Excused.

Hume.

Veale.

The Chair laid before the Senate, on second reading,

Senate bill No. 169, A bill to be entitled "An Act to name the several counties composing the Thirty-third and the Fifty-first Judicial Districts of the State of Texas, and to fix the time for holding the district courts therein and to repeal an act entitled 'An Act to name the several counties composing the Fifty-first Judicial District and to fix the time for holding the district courts herein and to repeal all laws and parts of laws in conflict herewith,' Chapter 72, General Laws of the State of Texas, page 98, passed by the Twenty-eighth Legislature, and to repeal Section 2 of an act entitled 'An Act to amend an act to reorganize the Twenty-seventh, Thirty-third and Thirty-fifth Judicial Districts of the State of Texas, and to fix the time for holding court therein,' as passed by the Twenty-seventh Legislature, Chapter 64, page 133, and to repeal all laws and parts of laws in conflict therewith, passed by the Twenty-ninth Legislature, Chapter 37, page 47, in so far as the latter act conflicts with the provisions of this act relating to the organization of the Thirty-third Judicial District of the State of Texas."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Mayfield.
Alexander.	Meachum.
Brachfield.	Murray.
Bryan.	Paulus.
Cofer.	Peeler.
Greer.	Perkins.
Holsey.	Senter.
Hudspeth.	Stokes.
Kellie.	Sturgeon.
Masterson.	Terrell of Bowie.

Terrell of McLennan. Ward.
Thomas. Watson.

Absent.

Harper. Weinert.
Hayter. Willacy.
Real.

Absent—Excused.

Hume. Veale.

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Thomas.
Mayfield.	Ward.
Meachum.	Watson.

Absent.

Harper. Weinert.
Hayter. Willacy.
Real.

Absent—Excused.

Hume. Veale.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SIMPLE RESOLUTION.

By Senator Terrell of Bowie:

Whereas, The 22d day of February is a national holiday and is observed throughout this country on account of being Washington's birthday; therefore, be it

Resolved, That when the Senate adjourn today it do so in honor and in respect to the father of our country.

TERRELL of Bowie,
HOLSEY.

The above resolution was unanimously adopted by a rising vote.

HOUSE BILL NO. 239.

On motion of Senator Stokes, the pending order of business (Senate bill No. 154) was suspended, and the Senate

took up, out of its order, House bill No. 239 by the following vote:

Yeas—23.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.
Murray.	

Absent.

Harper.	Real.
Hayter.	Weinert.
Meachum.	Willacy.

Absent—Excused.

Hume. Veale.

The Chair laid before the Senate, on second reading,

House bill No. 239, A bill to be entitled "An Act to amend Sections 5 and 7 of Chapter 3, Special Laws of the Twenty-ninth Legislature, being a special road law for Cherokee county, and to repeal Chapter 57, Special Laws of the Thirtieth Legislature, and declaring an emergency."

The bill was read second time, and Senator Stokes offered the following amendment, which was read and adopted:

Amend House bill No. 239 by striking out all the last paragraph in Section 5, down to Section 7, and inserting the following:

"All money received by any road overseer shall be expended upon the section of road for which it is paid in; provided, that the commission of said precinct may order the money expended on any other road in his precinct where, in his judgment, it is most needed, and when he orders the money expended on any other road he shall receive it from the overseer and receipt for the same; provided further, that the overseers shall not be allowed any commission for receiving and paying out any money that may come into their possession."

Bill read second time, and passed to a third reading.

On motion of Senator Stokes, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Holsey.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Thomas.
Mayfield.	Ward.
Murray.	Watson.

Absent.

Harper.	Real.
Hayter.	Weinert.
Hudspeth.	Willacy.
Meachum.	

Absent—Excused.

Hume.	Veale.
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The bill was read third time, and passed.

SENATE BILL NO. 110.

On motion of Senator Perkins, the pending order of business (Senate bill No. 154) was suspended, and the Senate took up, out of its order, Senate bill No. 110, by the following vote:

Yeas—23.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

Absent.

Harper.	Sturgeon.
Hayter.	Weinert.
Real.	Willacy.

Absent—Excused.

Hume.	Veale.
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The Chair laid before the Senate, on second reading,

Senate bill No. 110, A bill to be entitled "An Act making it a criminal offense punishable by fine for any person in this State to use any vulgar, profane or indecent language over or through any telephone, and declaring an emergency."

The committee report, with amendments, was adopted, on motion of Senator Perkins.

Bill read second time, and ordered engrossed.

On motion of Senator Perkins, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

Nays—1.

Thomas.

Absent.

Harper.	Weinert.
Hayter.	Willacy.
Real.	

Absent—Excused.

Hume.	Veale.
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The bill was read third time, and passed by the following vote:

Yeas—23.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

Nays—1.

Thomas.

Absent.

Harper.	Weinert.
Hayter.	Willacy.
Real.	

Absent—Excused.

Hume.	Veale.
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HOUSE BILL NO. 242.

On motion of Senator Greer, the pending order of business (Senate bill No. 154) was suspended, and the Senate took up, out of its order, House bill No. 242, by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Thomas.
Mayfield.	Ward.
Meachum.	Watson.

Absent.

Harper.	Weinert.
Hayter.	Willacy.
Real.	

Absent—Excused.

Hume.	Veale.
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The Chair laid before the Senate, on second reading,

House bill No. 242, A bill to be entitled "An Act to repeal Chapter 91, page 732 of the Special Laws of the Thirtieth Legislature, entitled 'An Act to require all persons in the county of Camp, who are subject to road duty, work ten days on the public roads in said county in each year, or to pay \$1.00 for each day in lieu of working the public roads, that such roads are worked'; also to amend Section 8 of Chapter 100, page 755 of the Special Laws of the Thirtieth Legislature entitled 'An Act to create a more efficient road system for Camp county, Texas; to make the county commissioners thereof ex-officio road commissioners and prescribe their duties, and providing for their compensation as such; to provide for working of county convicts upon the public roads of said county; to provide for the amount of compensation in road hands for team and road work; to provide for condemnation of land for public road purposes; providing for working delinquent poll taxpayers on the public roads and relieving of road hands from the performance of road work by the payment of the sum of \$5.00; and providing for the levy and collection by the commissioners court of said county the regular 15 cents on the \$100 valuation now authorized by law

for road and bridge purposes; also for the levy of an additional tax of 15 cents on each \$100 valuation for road purposes, and also for issuing of bonds not to exceed 15 cents on each \$100 valuation in any one year, and sale of such bonds for road purposes to provide for an election by the qualified voters of said county to determine as to the levy of the extra 15 cents on the \$100 valuation, and also on the question of the issuing of bonds, making this law cumulative of the general laws on this subject, and declaring an emergency,' by reducing the number of days persons may be compelled to work on the public roads from ten days to five days, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Thomas.
Mayfield.	Ward.
Meachum.	Watson.

Absent.

Harper.	Weinert.
Hayter.	Willacy.
Real.	

Absent—Excused.

Hume.	Veale.
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The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Masterson.
Alexander.	Mayfield.
Brachfield.	Meachum.
Bryan.	Murray.
Cofer.	Paulus.
Greer.	Peeler.
Holsey.	Perkins.
Hudspeth.	Senter.
Kellie.	Stokes.

Sturgeon. Thomas.
Terrell of Bowie. Ward.
Terrell of McLennan. Watson.

Absent.

Harper. Weinert.
Hayter. Willacy.
Real.

Absent—Excused.

Hume. Veale.

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 143.

On motion of Senator Kellie, the pending order of business (Senate bill No. 154) was suspended, and the Senate took up, out of its order, Senate bill No. 143, by the following vote:

Yeas—25.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	

Absent.

Harper. Weinert.
Real. Willacy.

Absent—Excused.

Hume. Veale.

The Chair laid before the Senate, on second reading,

Senate bill No. 143, A bill to be entitled "An Act to prevent any person from unlawfully using or wearing the badges or button or other emblem of the United Confederate Veterans, United Sons of Confederate Veterans, United Daughters of the Confederacy, Grand Army of the Republic, Women's Relief Corps, the Benevolent and Protective Order of Elks of the United States of America, the Ancient Free and Accepted Masons, the Independent Order of Odd Fellows, Knights of Pythias, Woodmen of the World, or any labor organization or any

order, society or organization in this State."

The bill was read second time, and Senator Senter offered the following amendment, which was read and adopted:

Amend Section 1 of the bill by inserting after the word "wilfully," in line 15, page 1, the words: "And without due authority and use of," and after the word "badge," in said section and line, inserting the word "label," and also by inserting after the word "badge," in Section 1, line 32, page 1, the word "label."

Senator Senter offered the following amendment; which was read and adopted:

Amend the bill by adding at the end of Section 1, in line 4, page 2, the words: "Or jury trying the case."

Senator Senter offered the following amendment, which was read and adopted:

Amend the caption of the bill by substituting the word "prohibit" for the word "prevent," in line 6, page 1; also add the word "label" after the word "badge," in line 7, page 1, and adding at the end of the caption the words: "And fixing penalties for the violation of this act, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Kellie, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Paulus.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.

Absent.

Harper. Weinert.
Real. Willacy.
Terrell of McLennan

Absent—Excused.

Hume. Veale.

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Paulus.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.

Absent.

Harper.	Weinert.
Real.	Willacy.
Terrell of McLennan.	

Absent—Excused.

Hume.	Veale.
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Senator Senter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 235.

On motion of Senator Watson, the pending order of business (Senate bill No. 154) was suspended, and the Senate took up, out of its order, Senate bill No. 235, by the following vote:

Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Paulus.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.

Absent.

Harper.	Weinert.
Real.	Willacy.
Terrell of McLennan.	

Absent—Excused.

Hume.	Veale.
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The Chair laid before the Senate, on second reading,

Senate bill No. 235, A bill to be entitled "An Act to amend Chapter 80 of the Special Laws of the Thirtieth Legisla-

ture of the State of Texas, approved April 15, 1907, and to create a more efficient road law for Lee county, Texas."

The committee report, which recommended that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Paulus.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Senter.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Thomas.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	

Absent.

Harper.	Terrell of McLennan.
Real.	Weinert.
Stokes.	Willacy.

Absent—Excused.

Hume.	Veale.
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The bill was read third time, and passed by the following vote:

Yeas—23.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Thomas.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	

Absent.

Harper.	Terrell of McLennan.
Paulus.	Weinert.
Real.	Willacy.

Absent—Excused.

Hume.	Veale.
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Senator Watson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 112.

On motion of Senator Adams, the pending order of business (Senate bill No. 154) was suspended, and the Senate took up, out of its order, House bill No. 112, by the following vote:

Yeas—23.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Thomas.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	

Absent.

Harper.	Terrell of McLennan.
Paulus.	Weinert.
Real.	Willacy.

Absent—Excused.

Hume. Veale.

The Chair laid before the Senate, on second reading,

House bill No. 112, A bill to be entitled "An Act to amend an act of the Thirtieth Legislature passed at its Regular Session, being Chapter 93 of its Acts, and entitled 'An Act to amend Section 6 of Chapter 102 of the Twenty-sixth Legislature entitled "An Act to promote agriculture and stock raising, and to prohibit the hunting with firearms or dogs upon the enclosed or posted lands of another in all counties within this State not specially named as exempt from the provisions of this act," as amended by the Twenty-sixth Legislature, and as amended by Chapter 71a, General Laws of the Twenty-ninth Legislature; to provide penalties, and with an emergency clause; relating to agriculture and stock raising, so as to place McCulloch and San Saba counties under the operation of such laws."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to third reading.

On motion of Senator Adams, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Adams.	Mayfield.
Alexander.	Meachum.
Brachfield.	Murray.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.

Absent.

Harper.	Thomas.
Paulus.	Weinert.
Real.	Willacy.
Senter.	

Absent—Excused.

Hume. Veale.

The bill was read third time, and passed by the following vote.

Yeas—22.

Adams.	Mayfield.
Alexander.	Meachum.
Brachfield.	Murray.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.

Absent.

Harper.	Thomas.
Paulus.	Weinert.
Real.	Willacy.
Senter.	

Absent—Excused.

Hume. Veale.

Senator Adams moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 221.

On motion of Senator Mayfield, the pending order of business (Senate bill No. 154) was suspended, and the Senate took up, out of its order, House bill No. 221, by the following vote:

Yeas—23.

Adams.	Brachfield.
Alexander.	Bryan.

Cofer.	Peeler.
Greer.	Perkins.
Hayter.	Senter.
Holsey.	Stokes.
Hudspeth.	Sturgeon.
Kellie.	Terrell of Bowie.
Masterson.	Terrell of McLennan.
Mayfield.	Ward.
Meachum.	Watson.
Murray.	

Absent.

Harper.	Thomas.
Paulus.	Weinert.
Real.	Willacy.

Absent—Excused.

Hume.	Veale.
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The Chair laid before the Senate, on second reading,

House bill No. 221, A bill to be entitled "An Act to promote the safety of travelers and employes by compelling common carriers engaged in commerce by railroads within the State of Texas, to equip their locomotives, tenders, cars and similar vehicles used in moving intrastate traffic within said State with certain safety devices and appliances, and providing penalties for violations of this act, and providing further, that employes of such carriers continuing in the service with notice or knowledge of such violations shall not be held to have assumed the risk of injuries resulting from the same, and declaring an emergency."

Bill read second time, and passed to third reading.

On motion of Senator Mayfield, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.

Absent.

Harper.	Weinert.
Paulus.	Willacy.
Real.	

Absent—Excused.

Hume.	Veale.
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The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.

Absent.

Harper.	Weinert.
Paulus.	Willacy.
Real.	

Absent—Excused.

Hume.	Veale.
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Senator Mayfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 154.

The Chair laid before the Senate, on second reading, and unfinished business,

Senate bill No. 154, A bill to be entitled "An Act to amend Article 642 of the Revised Civil Statutes of Texas, as amended by Chapter 130, Acts of the Twenty-fifth Legislature, Chapter 43, Acts of the Twenty-sixth Legislature, Chapter 143, Acts of the Twenty-seventh Legislature, and Chapter 100, Acts of the Twenty-eighth Legislature, by amending Subdivision 61 thereof, and authorizing the formation of corporations for the construction and operation of interurban electric, gas or gasoline, denatured alcohol or naphtha motor railroads, and declaring an emergency."

The question on the bill was the pending amendment by Senator Senter (see Journal of Friday for amendments).

(Senator Stokes in the chair.)

The amendment was read and adopted by the following vote:

Yeas—15.

Adams.	Hayter.
Alexander.	Hudspeth.
Cofer.	Kellie.

Meachum.	Stokes.	
Murray.	Terrell of	
Peeler.		McLennan.
Perkins.	Ward.	
Senter.	Watson.	

Nays—7.

Brachfield.	Sturgeon.
Bryan.	Terrell of Bowie.
Greer.	Thomas.
Mayfield.	

Absent.

Harper.	Real.
Holsey.	Weinert.
Masterson.	Willacy.
Paulus.	

Absent—Excused.

Hume.	Veale.
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(Lieutenant Governor Davidson in the chair.)

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill, Section 4, Subdivision 76, as amended by adding after the words "cotton compress" the following: "Provided, that any such cotton seed oil mill corporation, or cotton compress corporation incorporated under the provisions of this act, engaged in the cotton seed oil business or compress business, or both, shall not be authorized to do business in more than one place within this State, and in case any such corporation shall own or operate more than one such cotton seed oil mill, or cotton compress, or both jointly, at other than one place within this State, it shall thereby be liable to a forfeiture of its charter, and it shall be the duty of the Attorney General of Texas to bring suit against any such corporation so offending, to forfeit its charter, and, if upon a trial of such cause, it shall be found that any such corporation has so offended, judgment shall be rendered forfeiting and annulling its charter, and nullifying its right to do business within this State. Venue of any such suit or suits is hereby conferred upon the district court of Travis county, or in the district court of any other county within this State where such corporation may have an office or agent."

(President Pro Tem. Terrell in the chair.)

Senators Murray and Meachum offered the following amendment:

Amend the bill by striking out Section 74, and renumbering the following sections.

ADJOURNMENT.

Senator Kellie here moved that the Senate adjourn until tomorrow morning at 10 o'clock.

The motion prevailed.

APPENDIX.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, February 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 210, A bill to be entitled "An Act creating the Pate Independent School District in McLennan county, defining its boundaries, providing for a board of trustees thereof, and defining their powers and authority, and declaring an emergency,"

And find the same correctly engrossed.

WARD, Chairman.

Committee Room,

Austin, Texas, February 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 50, A bill to be entitled "An Act to provide for the location of and establishment and maintenance of a State sanatorium for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives, and making an appropriation therefor, and declaring an emergency,"

And find the same correctly engrossed.

WARD, Chairman.

Committee Room,

Austin, Texas, February 19, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 77, A bill to be entitled "An Act to amend Articles 3498u, 3498v, 3498w and 3498x, Title 72, Chapter 1 of the Revised Civil Statutes of the State of Texas, so as to embrace within its provisions idiots, lunatics and persons non compos mentis, in addition

to minors as now embraced therein, and declaring an emergency,"

And find the same correctly engrossed.
WARD, Chairman.

PETITIONS AND MEMORIALS.

By Senator Perkins:

Greenville, Texas, February 19, 1909.

To the Hon. Tom W. Perkins, State Senator, Austin, Texas.

Dear Sir: We notice that Section 6 of the pure food bill, now pending before the Legislature, is hurtful to Coca-Cola, which is our largest seller at the soda fountain. In view of the fact that the percentage of caffeine contained in Coca-Cola is much less than that contained in coffee and tea, we, the undersigned, do not believe it harmful; therefore, we respectfully urge that you vote not to include caffeine and theine in this bill.

Signed—H. C. McGaughey & Bro. and seven other Greenville dealers.

Lone Oak, Texas, February 9, 1909.

Hon. Tom W. Perkins, Austin, Texas.

Dear Sir: We, the undersigned members of the Modern Woodmen of America at Lone Oak, Texas, learning that there is a probability that this Legislature will attempt to pass the minimum rate law governing all fraternal insurance companies, and we as Modern Woodmen do earnestly protest against the enactment of this measure, and ask that you use your best efforts to defeat same when presented.

Signed—W. C. Dowell, W. J. Bryan and twenty-seven other Hunt county citizens.

By Senator Adams:

To Hons. Wm. Adams, Tom Roberson and Jess Baker, the Senate and House of Representatives:

We, the undersigned voters, citizens and all being members of the Modern Woodmen of America, a fraternal beneficiary society with a membership of more than 1,000,000 members in the United States, respectfully request that our Representatives and Senator do all they can to prevent the passage of certain bills introduced in the Senate and House of Representatives to put the fraternal insurance associations under the supervision of the Commissioner of Insurance, also requiring them to adopt certain rates promulgated by the fraternal congress. Our order has a nice reserve, besides paying all death claims

promptly. We believe that our officers and supreme lodge representatives are more capable of looking after the best interests of our society than any one man or set of men not connected with our order; therefore, we ask that you use every honorable means to prevent the passage of any such legislation.

Numerously signed.

By Senator Holsey:

We, the teachers of Navarro county, recognize that the Thirty-first Legislature will be called upon to devote part of its session to school legislation. We wish to express ourselves on questions that may be recommended to the Legislature to be enacted into law; therefore, the following resolutions were passed:

Resolved, That we do not favor the enactment of a law making the county the unit of our school system; providing for the election of a commission, consisting of five or seven persons to administer the county school affairs; also providing for the appointment of a person to the office of county superintendent of public schools. We believe the present school district system is sufficient; that the local boards of trustees of the school district are more efficient than a county school commissioner will be; also that the present county commissioners court in each county is sufficient to regulate the school affairs of the county under the present laws. We believe that the county superintendent of schools should be elected by the people whom he serves, and not appointed by any person or commission.

Resolved, That we do not favor the passage of a law empowering the State Board of Education or any other body of persons to formulate rules for the admission of teachers from other States into the corps of teachers of this State without examination. We believe in the equal rights of all teachers, but special privileges to none; therefore, teachers from other States should not be given any advantage over teachers of this State, but must be required to pass examinations that we, the Texas teachers, are required to pass before receiving certificates to teach.

Resolved, That we favor a revision of the law relating to the extension of teachers' certificates, but oppose the abolition of the county board of examiners and of withdrawing their authority to issue county certificates.

By Senator Greer:

Petition from citizens of Upshur county, protesting against passage of Senate bills Nos. 9, 11 and 19 and House bills Nos. 93 and 97.

The Chair had the following read to the Senate:

Dallas, Texas, February 2, 1909.

Texas Senate, Austin:

At a meeting of eighteen church-going members of the Memorial Baptist Church, a resolution was unanimously adopted requesting your honorable body to pass the Robertson anti-gambling race-horse bill.

J. F. COPELAND, Chairman.

THIRTY-FIRST DAY.

Senate Chamber,
Austin, Texas,

Tuesday, February 23, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of
Hudspeth.	McLennan.
Kellie.	Thomas.
Masterson.	Veale.
Mayfield.	Ward.
Murray.	Watson.
Paulus.	Willacy.

Absent.

Harper.	Meachum.
Hume.	Weinert.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer, the same was dispensed with.

EXCUSED.

On account of sickness:

Senator Hume for today, on motion of Senator Peeler.

On account of important business:

Senator Real for yesterday, on motion of Senator Alexander.

Senator Willacy for yesterday, on motion of Senator Watson.

Senator Weinert for yesterday and today, on motion of Senator Murray.

INVITATION TO ATTEND MUSICAL.

Austin, Texas, February 23, 1909.

Hon. A. B. Davidson, President of the Senate, Austin, Texas.

Dear Sir: The members of the Thirty-first Legislature and their friends are extended a cordial invitation to attend a grand musical concert to be given by the State School for the Blind on Thursday evening, February 25, beginning promptly at 8:30 o'clock in the school auditorium.

The program will consist of classical and patriotic selections from our orchestra of twenty instruments, of selections by the Mandolin and Guitar Club, of songs by a mixed chorus of thirty voices, of songs by the girls' double quartette, and by the male quartette, of drills by the class in physical training, and of other appropriate numbers.

The entire program will constitute a strictly high-grade and enjoyable entertainment, and the presence of every member of the Legislature is desired.

Respectfully,

F. C. VON ROSENBERG,
President Board of Trustees.
F. M. BRALLEY,
Superintendent.

On motion of Senator Cofer, the above invitation was accepted.

DAUGHTERS OF CONFEDERACY INVITED TO SEATS IN SENATE CHAMBER.

Senator Willacy here moved that the Daughters of the Confederacy be invited to seats in the Senate Chamber for today during the discussion of Senate Joint Resolution No. 7, said resolution relating to the establishing of a home for wives of ex-Confederate soldiers.

The motion was adopted by the following vote:

Yeas—23.

Adams.	Cofer.
Alexander.	Greer.
Brachfield.	Hayter.
Bryan.	Holsey.